

**NOTICE OF APPEAL**  
**UNITED STATES DISTRICT COURT**

Eastern District of New York

**UNITED STATES OF AMERICA**

- against -

**David Levy,**

**Defendant.**

**Docket Number** 16-CR-640 (BMC)

**The Honorable Brian M. Cogan**  
(District Court Judge)

Notice is hereby given that the United States of America

appeals to the United States Court of Appeals for the Second Circuit from the:

Judgment       ; Order x; Other       ; granting motions for acquittal and new trial  
(specify)

entered in this action on July 12, 2023.  
(specify)

Offense occurred after November 1, 1987 Yes X No       .

The appeal concerns: order granting motions for judgment of acquittal and new trial.

**Date** August 11, 2023

**Nick M. Axelrod, AUSA**

(Counsel for Appellant)

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ADD ADDITIONAL PAGE IF NECESSARY

(TO BE COMPLETED BY ATTORNEY)

▶ QUESTIONNAIRE	▶ TRANSCRIPT ORDER    ▶ DESCRIPTION OF PROCEEDINGS FOR WHICH TRANSCRIPT IS REQUIRED (INCLUDE DATE)
<u>      </u> I am ordering a transcript. <u>X</u> I am not ordering a transcript.  Reason: <u>      </u> Daily copy is available <u>X</u> U.S. Attorney has placed order <u>      </u> Other. Attach explanation	<div style="text-align: right; margin-bottom: 5px;">Dates</div> Prepare transcript of <u>      </u> Pre-trial proceedings _____ <u>      </u> Trial _____ <u>      </u> Sentence _____ <u>      </u> Post-trial proceedings _____

The ATTORNEY certifies that he/she will make satisfactory arrangements with the court reporter for payment of the cost of the transcript. (FRAP 10(b)) ▶ Method of payment        Funds        CJA Form 24 X U.S. Attorney's Office Will Pay

ATTORNEY'S signature

/s/

Date August 11, 2023

**▶ COURT REPORTER ACKNOWLEDGMENT**

To be completed by Court Reporter and forwarded to Court of Appeals.

Date order received	Estimated completion date	Estimated number of pages
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Date \_\_\_\_\_

Signature \_\_\_\_\_  
(Court Reporter)

